Surplus number of, .'IAS Officers

3233. SHRI S. S. AHLUWAUA. Will the PRIME MINISTER be pleased to state;

(a) whether it is a fact that there are no takers for the IAS Officers who have been rendered surplus under the 10 per cent pruning initiated by Government;

(b) if so, what are the details thereof and the total number of IAS Officers rendered surplus in pruning;

(c) what action Government propose to take in respect of such surplus declared IAS Officers;

(d) whether Government propose to reduce the intake of IAS Officers in Government Department; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA); (a) No IAS officer has been rendered surplus.

(b) and (c) Do not arise.

(d) and (e) Yes, Sir. A number of senior posts have been identified lor surrender under the exercise for rationalization of posts. The intake of officers to senior posts has been reduced to that extent.

Petitions of Grievances and Pensions

3234. SHRI TINDIVANAM G. VENKATRAMAN; Will the PRIME MINISTER be pleased to state:

(a) what is the total number of petitions regarding Grievances and Pensions received during the year 1991 to 1992;

(b) how many of them have been disposed off and those still pending;

(c) the State which tops the list in this regard;

(d) whether it is a fact that the pensions for Tyagis in Tamil Nadu stands pending for two years; and

(e) if so, what steps have been taken to expedite these pensions?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA) (a) and (b) During the period April 1, 1991 to March 31, 1992 tie Ministry of Personnel, Public Grievances and Pensions received around 14,700 public grievance petitions including those relating to pension. They have been sent to the Minis-triesjDepartments and other organisations concerned who can, in the nature of things, deal with them substantively.

(c) No State-wise tabulation of such petitions is made.

(d) and (e) The matter has been-referred to the Government of Tamil Nadu.

Payment of Family Pensions

3235. SHRIMATI KAILASHPATI: Will the PRIME MINISTER be pleased to state;

(a) whether it is a fact that those surviving widows of erstwhile Government employees who died in harness after 17th April, 1950, but before 1st April, 1954, after completing more than 10 years but less than 20 years qualifying service are eligible for the grant of family pension w.e.f. 1st April, 1957 in accordance with the provisions of amended Liberalised Pension Rules, 1950 and the law laid down by the Supreme Court in D. S. NAKARA's Case;

(b) whether Government would make the payment of arrears of family Pensions to the said widows without any further complications and delay; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) to (c) In accordance with the Liberalised Pension Rules, 1950 as amended from time to time, benefits of family pension were admissible only in respect of an officer with not less than 20 years of

service. The widows of Government employees, who died between 17.4.50 and 1.4.54 with less than 20 years of service, were not eligible for the grant of family pension. However, in pursuance of a Supreme Court judgement dated 30.4.85, the Government of India have extended the benefit of Family Pension Scheme, 1964, with effect from 22.9.1977, to the families of all those Government employees who retiredldied before 31.12.1963 and of those who were alive on 31.12.1963 but who opted out of 1964 Scheme, irrespective of the length of service rendered by the Government employee. These orders were issued on 18th June, 1985. The family members have to apply for family pension to the Head of Office from where the. erstwhile Government employee retiredldied while in service.

The payment of family pension is made on a decentralised basis.

सचिवों द्वारा गलत आचरण

3236. **श्री गोपाल सिंह जी० सोलंकी** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार के सचिवों, संयुक्त सचिवों और उप-सचिवों द्वारा किए गए गलत आचरण के मामले सरकार की जानकारी में आए हैं ;

(ख) यदि हां, तो ऐसे गलत आचरण के मामलों की संख्या कितनी है; और

(ग) उनके संबंध में क्या कार्रवाई की गई है ?

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय में राज्य मंत्री (श्रीमती मारग्रेट आल्वा) : (क) से (ग) भारत सरकार के सचिव, संयुक्त सचिव तथा उप-सचिव के पद सभी समूह "क" सेवाओं से लिए गए अधिकारियों से भरे जाते हैं, जिसमें तीन अखिल भारतीय सेवाओं के सदस्य भी शामिल हैं। यदि कदाचार के आरोपों के मामले प्राप्त होते हैं तो संगत अनुशासनिक नियमों के अन्तर्गत कार्यवाही करने के लिए तथ उपर्युक्त तीन पदों में से किसी भी ऐ पद पर कार्यरत समूह "क" सेवा पदधारक अधिकारी की सेवा शर्तों क शामिल करने वाला सक्षम प्राधिकार प्रत्यायोजित शक्तियों के अन्तर्गत संबंधि मंत्रालय/विभाग है जो संवर्ग नियंत्र प्राधिकारी के रूप में कार्य करता है इसलिए कदाचार के ऐसे सभी मामलों प कार्मिक और प्रशिक्षण विभाग में कार्य वाही नहीं की जाती क्योंकि प्रत्येक मामले में संबंधित अनुशासनिक प्राधिकारी, उन प्रत्यायोजित शक्तियों के भीतर, कार्यवाह करने के लिए सक्षम है।

Conduct/Discipline and Appeal Rul

3237. SHRI SUNIL BASU RAY: Will the PRIME MINISTER be pleased state:

(a) whether a rule imposing maj penalty on a permanent employee c be introduced in the ConductlDiscipli and Appeal Rules without providing f appeal from an adverse order from it;

(b) if so, the details thereof; and

(c) whether a provision for review the rules concerned be an adequate su stitute for an appeal to comply with A 311 of the Constitution?

THE MINISTER OF STATE IN TI MINISTRY OF PERSONNEL, PUBL GRIEVANCES AND PENSIONS (SlHI MAT! MARGARET ALVA): (a) a (b) In the absence of mention of a specific Conduct, Discipline and Apps Rules, a precise answer is not possibl Generally speaking, right to appeal is n inherent. It is created by a statute a a rule which does not provide for su a right may not be void on th account. However, a provision f appeal is always desirable on principles equity, justice and fair play and such provision is generally made. In son situations, instead of right to appeal, provision for review is made.

(c) Since Article 311 of the Const tution does not confer a right to appe the question of review being an adequa